

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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J & J SPORTS PRODUCTIONS, INC.,

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ MAR 25 2019 ★

BROOKLYN OFFICE

Plaintiff,

-against-

MANUEL T. MOROCHO, individual and d/b/a
Salina's Ecuadorian Bar & Restaurant; and
SALINA'S ECUADORIAN BAR &
RESTAURANT CORP., an unknown business
entity d/b/a Salina's Ecuadorian Bar & Restaurant,

Defendants.

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ANN M. DONNELLY, United States District Judge:

On April 18, 2018, the plaintiff, J & J Sports Productions, Inc., commenced this action against the defendants, Manuel T. Morocho and Salina's Ecuadorian Bar & Restaurant Corp. (ECF No. 1.) On May 31, 2018, the plaintiff requested a certificate of default, which the clerk of the court entered against each defendant on June 14, 2018. (ECF Nos. 8, 10, 11.) The plaintiff filed a motion for default judgment on July 10, 2018, seeking an award for \$18,000 in statutory damages, \$54,000 in enhanced damages, pre- and post-judgment interest, attorney's fees, and costs. (ECF No. 12.) On January 28, 2019, the Honorable Robert M. Levy recommended that I deny the plaintiff's motion with respect to defendant Morocho, grant the plaintiff's motion with respect to defendant Salina's Ecuadorian Bar & Restaurant, award the plaintiff \$21,430.50 plus post-judgment interest at the federal statutory rate, and permit the plaintiff to move for attorney's fees and costs. (ECF No. 15.) No objections have been filed to the Report and Recommendation, and the time for doing so has passed. (*Id.*)

In reviewing a Report and Recommendation, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). Where no party has objected to the magistrate judge’s recommendation, “a district court need only satisfy itself that there is no clear error on the face of the record.” *Urena v. New York*, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001) (quoting *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)).

I have carefully reviewed Judge Levy’s thorough and well-reasoned Report and Recommendation for clear error, and find none. Accordingly, I adopt the Report and Recommendation in its entirety. The plaintiff’s motion for default judgment against defendant Morocho is denied, the plaintiff’s motion against defendant Salina’s Ecuadorian Bar & Restaurant is granted, and judgment is entered in favor of the plaintiff against Salina’s Ecuadorian Bar & Restaurant in the amount of \$21,430.50, plus post-judgment interest at the federal statutory rate until the judgment is paid in full. The plaintiff is directed to file its motion for attorney’s fees and costs within 30 days of the date of this order.

SO ORDERED.

s/Ann M. Donnelly

Ann M. Donnelly
United States District Judge

Dated: Brooklyn, New York
March 25, 2019